

ENTERED

September 12, 2017

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

UNITED STATES OF AMERICA

§

VS.

§

CRIMINAL ACTION NO. 2:17-CR-505

ADOLFO JESUS CALDERON

§

MEMORANDUM OPINION AND ORDER OF DETENTION PENDING TRIAL

A detention hearing has been held in accordance with the Bail Reform Act, 18 U.S.C. § 3142(f). The following requires detention of the Defendant pending trial in this case:

- (1) There are no conditions or combination of conditions that will ensure the safety of the community; and
- (2) There is a serious risk that the Defendant will fail to appear for future court proceedings.

The evidence against the Defendant meets the probable cause standard. The findings and conclusions contained in the Pretrial Services Report are adopted, supplemented by the testimony of the Defendant's mother. The Defendant was recently arrested in April of 2016 for possessing synthetic marihuana, and the District Attorney has not made a decision whether the Defendant will be charged. The Defendant's mother was concerned about the Defendant's use of synthetic marihuana and his mental health history. The Defendant is a poor candidate for bond because of his drug use, and his mental health history coupled with the charge of possessing a firearm. This order of detention will be revisited if counsel for the Defendant can obtain a confirmation from

the District Attorney that charges will not be filed, and when a bed at a suitable residential treatment facility is open. Other conditions will also be required.

The Defendant is committed to the custody of the United States Marshal or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The Defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the Defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

ORDERED this 12th day of September, 2017.



B. JANICE ELLINGTON
UNITED STATES MAGISTRATE JUDGE